APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/524,940	03/14/2000	Reuben Bahar	132/97	8994

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EXAMINER
NGUYEN, THANH T

ART UNIT	PAPER NUMBER
2143	2

DATE MAILED: 02/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.		Applicant(s)	
Office Action Summary	09/524,940		BAHAR, REUBEN	
	Examiner		Art Unit	
	Tammy T Nguyen		2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

> A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *(3)* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
> - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
> - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
> - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
> - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *14 March 2000* .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-8* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-8* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *14 March 2000* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

　　If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All   b) ☐ Some * c) ☐ None of:

　　　1. ☐ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

　　a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)　　　　4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)　　5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .　　6) ☐ Other: ___ .

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Examiner's Detailed Office Action

1.   This action is in response to the application **09/524,940** filed. **March 14, 2000**

2.   Claims **1-8** have been examined.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-8 rejected under 35 U.S.C. 103(e) as being unpatentable over Palmer et al.,

(hereinafter Palmer) U.S. Patent No. 6,151,020 in view of Migos et al., (hereinafter Migos) U.S.

Patent No. 6,031,529.

5.   As to claim 1, Palmer teaches the invention as claimed, a method of collectively

generating for acquisition user created designs of products via a communications network, said

method comprising the steps of:

establishing graphic design software on a remote host system (col.5, lines 24-38, and

col.9, lines 26-36) connected to said communications network (col.2, lines 15-27), said graphic

design software having a database module containing product data for at least one product (col.2,

lines 58-67, and col.13, lines 32-43), and said graphic design software configured to run

multiple, concurrent, and independent program sessions on said remote host system (col.1, lines

41-47);

providing public access to said graphic design software by remote interface means

(Fig.1), wherein a plurality of users may each run a program (col.1, lines 25-40, and col.10, lines

5-14) session of said graphic design software on said remote host system from client systems

connected to said communications network (col.12, lines 15-27, and col.2, lines 58-67);

running a program session of said graphic design software on said remote host system in

response to each of said plurality of users (Fig. 1, client A, client B), said step of running a

program session (col.8, line 65 to col.9, line 25) including the steps of, creating a final design of

said at least one target product using said graphic tool module, and submitting said final design

to said remote host system (col.8, lines 1-21, and col.9,lines 45-67); and

storably receiving said final design on data storage means of said remote host system

(col.8,lines 51-65).

Palmer does not teach a graphic tool module for visually affecting graphic images.

However, Migos teaches a graphic tool module for visually affecting graphic images (col.2,

lines 20-32). It would have been obvious to one of ordinary skill in the Data Processing art at the

time of the invention to combine the teachings of Palmer and Migos to have an graphic images

includes in a communication system because it would have an efficient system that can provide

specific functions either as a set of brightness and color values of pixels or as a set of instructions for reproducing the picture.

Palmer does not teach the control of each of said plurality of users. However, Migos teaches the control of each of said plurality of users (abstract, and col.2, lines 2-30). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Palmer and Migos to have an graphic images includes in a communication system because it would have an efficient system that can provide specific functions for an object on the screen that can be manipulated by the user to perform an action, the most controls are buttons, which allow the user to select options, and scroll bars, which allow the user to move through a document or position text in a window.

Palmer does not teach selecting from said database module least one target product to be designed. However, Migos teaches selecting from said database module least one target product to be designed (col.4, lines 35-45). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Palmer and Migos to have database module least one target product to be designed because it would usually has large collection of data organized especially for rapid search and retrieval.

6.   As to claim 2, teaches the invention as claimed, wherein further comprising the steps of:

upon storably receiving a plurality of final designs, selecting at least one winner using selection criteria; and

providing said at least one winner a corresponding award (col.8, lines 1-21, and col.9, lines 45-67).

7.   As to claim 3, teaches the invention as claimed, wherein the step of creating a final

design (col.8, lines 1-21, and col.9, lines 45-67) of said at least one target product comprises the

step of providing an option to save an unfinished design (col.8, lines 51-65).

8.   As to claim 4, teaches the invention as claimed, a method of collectively generating

for acquisition user created designs of products via a communications network, said method

comprising the steps of:

establishing graphic design software on a remote host system (col.5,lines 27-38, and

col.9, lines 26-36) connected to said communications network (col.2, lines 15-27), said graphic

design software having a database module containing product data for at least one product (col.2,

lines 58-67, and col.13, lines 32-43), said graphic design software configured to run multiple,

concurrent, and independent program sessions on said remote host system (col.1, lines 41-47);

providing public access to said graphic design software by remote interface means

(Fig.1), wherein a plurality of users may each run a program (col.1, lines 25-40, and col.10, lines

5-14) session of said graphic design software on said remote host system from client systems

connected to said communications network (col.2, lines 15-27, and col.2, lines 58-67),

running a program session of said graphic design software on said remote host system in

response to each of said plurality of users (Fig.1, client A, client B), said step of running a

program (col.8, lines 65 to col.9, line 25)session including the steps of, creating a final design of

said at least one target product using said graphic tool module, and submitting said final design

to said remote host system (col.8, lines 1-21, and col.9,lines 45-67); and

storably receiving said final design on data storage means of said remote host system

(col.8, lines 51-65).

Palmer does not teach a graphic tool module for visually affecting graphic images. However, Migos teaches a graphic tool module for visually affecting graphic images (col.2, lines 20-32). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Palmer and Migos to have an graphic images includes in a communication system because it would have an efficient system that can provide specific functions either as a set of brightness and color values of pixels or as a set of instructions for reproducing the picture.

Palmer does not teach the control of each of said plurality of users. However, Migos teaches the control of each of said plurality of users (abstract, and col.2, lines 2-30). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Palmer and Migos to have an graphic images includes in a communication system because it would have an efficient system that can provide specific functions for an object on the screen that can be manipulated by the user to perform an action, the most controls are buttons, which allow the user to select options, and scroll bars, which allow the user to move through a document or position text in a window.

Palmer does not teach selecting from said database module least one target product to be designed. However, Migos teaches selecting from said database module least one target product to be designed (col.4, lines 35-45). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Palmer and Migos to have database module least one target product to be designed because it would usually has large collection of data organized especially for rapid search and retrieval.

9.   As to claim 5, teaches the invention as claimed, wherein further comprising the steps

of: upon storably receiving a plurality of final designs, selecting at least one winner using selection criteria; and

providing said at least one winner a corresponding award (col.8, lines 1-21, and col.9, lines 45-67).

10.   As to claim 6, teaches the invention as claimed, wherein the step of creating a final design (col.8, lines 1-21, and col.9, lines 45-67) of said at least one target product comprises the step of providing an option to save an unfinished design (col.8, lines 51-65).

11.   As to claim 7, teaches the invention as claimed, a system for collectively generating for acquisition user created designs of products via a communications network, said system comprising:

in a remote host system connected to the communications network (col.2, lines 15-27),

computer processor means for processing data (col.4, lines 15-26);

data storage means for storing data (col.2, lines 58-67);

graphic design software having a database module containing product data for at least one product (col.8, lines 51-65), said graphic design software configured to run multiple, concurrent, and independent program sessions on said remote host system (col.1, lines 41-47); and

remote interface means for providing public access to said graphic design software (Fig.1, client A, client B),

wherein a plurality of users (Fig.1, client A, client B) may each run a program (col.1, lines 25-40, and col.10, lines 5-14) session of said graphic design software on said remote host system from client systems connected to said communications network (col.2, lines 15-27, and

col.2, lines 58-67) in response to each of said plurality of users, and create a final design of said

at least one target product using said graphic tool module, and submit said final design to said

remote host system (col.8, lines 1-21, and col.9,lines 45-67) where it may be storably received on

said data storage means (col.8, lines 51-65).

Palmer does not teach a graphic tool module for visually affecting graphic images.

However, Migos teaches a graphic tool module for visually affecting graphic images (col.2,

lines 20-32). It would have been obvious to one of ordinary skill in the Data Processing art at the

time of the invention to combine the teachings of Palmer and Migos to have an graphic images

includes in a communication system because it would have an efficient system that can provide

specific functions either as a set of brightness and color values of pixels or as a set of instructions

for reproducing the picture.

Palmer does not teach selecting from said database module least one target product to be

designed. However, Migos teaches selecting from said database module least one target product

to be designed (col.4, lines 35-45). It would have been obvious to one of ordinary skill in the

Data Processing art at the time of the invention to combine the teachings of Palmer and Migos to

have database module least one target product to be designed because it would usually has large

collection of data organized especially for rapid search and retrieval.

12.   As to claim 8, teaches the invention as claimed, a system for collectively generating

for acquisition user created designs of products via a communications network, said system

comprising:

in a remote host system connected to the communications network (col.2, lines 15-27),

computer processor means for processing data (col.4, lines 15-26);

data storage means for storing data (col.2, lines 58-67);

graphic design software having a database module containing product data for at least

one product (col.8, lines 51-65), said graphic design software configured to run multiple,

concurrent, and independent program sessions on said remote host system (col.1, lines 41-47);

and

remote interface means for providing public access to said graphic design software

(Fig.1, client A, client B),

wherein a plurality of users may each run a program session (col.1, lines 25-40, and

col.10, lines 5-14)of said graphic design software on said remote host system from client systems

connected to said communications network (col.2, lines 15-27, and col.2, liens 58-67) in

response to each of said plurality of users, and create a final design using said graphic tool, and

submit said final design to said remote host system (col.8, lines 1-28, and col.9, lines 45-67)

where it may be storably received on said data storage means (col.8, lines 51-65).

Palmer does not teach a graphic tool module for visually affecting graphic images.

However, Migos teaches a graphic tool module for visually affecting graphic images (col.2,

lines 20-32). It would have been obvious to one of ordinary skill in the Data Processing art at the

time of the invention to combine the teachings of Palmer and Migos to have an graphic images

includes in a communication system because it would have an efficient system that can provide

specific functions either as a set of brightness and color values of pixels or as a set of instructions

for reproducing the picture.

Palmer does not teach selecting from said database module least one target product to be

designed. However, Migos teaches selecting from said database module least one target product

to be designed (col.4, lines 35-45)._It would have been obvious to one of ordinary skill in the

Data Processing art at the time of the invention to combine the teachings of Palmer and Migos to

have database module least one target product to be designed because it would usually has large

collection of data organized especially for rapid search and retrieval.

Conclusion

26.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

27.   Any inquiries concerning this communication or earlier communications from the

examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at

(703) 305-7982. The examiner can normally be reached Monday through Friday between

8:00 a.m. and 4:30 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding After Final issues,

please send it to **(703) 746-7238**. If you need to send an Official facsimile transmission, please

send it to **(703) 746-7239**. If you would like to send a Non-Official (draft) facsimile transmission

the fax is **(703) 746-7240**. If attempts to reach the examiner by telephone are unsuccessful, the

Examiner's Supervisor, **David Wiley**, may be reached at **(703) 308-5221**.

Any response to this office action should be mailed too:

Director of Patents and Trademarks Washington, D.C. 20231.

Moreover, hand-delivered responses should be delivered to the Receptionist, located

on the **fourth floor of Crystal Park 11, 2121 Crystal Drive Arlington, Virginia**.

Tammy T Nguyen

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